



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 1, 2020

VIA ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Jesse Rodriguez*, 18 Cr. 488

Dear Judge Swain:

The Government writes to respectfully request that the Court reschedule the parties' upcoming status conference, currently scheduled for June 13, 2020. As discussed at the last conference, and in prior filings, defense counsel is continuing to evaluate the defendant's competency, and has not yet concluded this inquiry. *See* Def. Ltr., ECF No. 77. Accordingly, the parties have no additional applications to make, or updates to provide to the Court. In light of the foregoing, a rescheduled conference date would provide the parties additional time to discuss these and other issues, and return to the Court with a proposal for subsequent proceedings in this matter. The Government has conferred with defense counsel, who requests a 60-day adjournment of the upcoming conference.

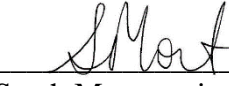
The Government further requests that time be excluded under the Speedy Trial Act through the date of the next conference. Exclusion of time under the Speedy Trial Act will provide the parties sufficient time to contemplate a competency hearing, pre-trial motions, or a potential pre-trial disposition; therefore, the "ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(7)(A). Defense counsel consents to the exclusion of time.

THE APPLICATION IS GRANTED. THE CONFERENCE IS
ADJOURNED TO 9/24/2020 AT 10:00 A.M. THE
COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A)
THAT THE ENDS OF JUSTICE SERVED BY AN
EXCLUSION OF THE TIME FROM TODAY'S DATE
THROUGH 9/24/2020 OUTWEIGH THE BEST INTERESTS
OF THE PUBLIC AND THE DEFENDANT(S) IN A
SPEEDY TRIAL FOR THE REASONS STATED ABOVE. by: _____
DE# 81 RESOLVED.

SO ORDERED.
DATED: 7/1/2020
/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney



Sarah Mortazavi
Assistant United States Attorney
(212) 637-2520

cc: Clay Kaminsky, Esq. (via ECF)